

JUL 19 2004

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. PES-0041	
Applicant(s): A. John Speranza, et al.				
Serial No. 09/963,978	Filing Date September 26, 2001	Examiner B. Bell	Group Art Unit 1746	
Invention: INTEGRAL MEMBRANE SUPPORT AND FRAME STRUCTURE			OFFICIAL	
<p>I hereby certify that this <u>Comments on the Statement of Reasons for Allowance (2 pgs)</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>)</p> <p>on <u>July 19, 2004</u> (Date)</p> <p style="text-align: right;"><u>Sonia Mancini</u> (Typed or Printed Name of Person Signing Certificate) <u>Sonia Mancini</u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant: A. JOHN SPERANZA, ET AL.)
Serial No.: 09/963,978) Group Art Unit:
Filed: SEPTEMBER 26, 2001) 1746
For: INTEGRAL MEMBRANE SUPPORT AND) Examiner:
FRAME STRUCTURE) Bruce F. Bell

Commissioner for Patents
Alexandria, VA 22313

**COMMENTS ON THE STATEMENT OF
REASONS FOR ALLOWANCE**

These comments are being submitted in response to the Notice of Allowability and Examiner's Statement of Reasons for Allowance, dated July 2, 2004. In the Reasons for Allowance, the Examiner stated:

The closest prior art, WO 00/40780 discloses the use of screen packs on both sides of a membrane against the electrodes to give support, whereas applicant's instant invention supports the membrane using only one substrate and further the prior art shows that there is a gap between the frame and screen packs, whereas the instant invention is contiguous with the frame.

(Reasons For Allowance, page 2)

Applicants note that Claim 1 of the present application claims:

1. A membrane electrode assembly for an electrochemical cell, comprising:
 - a first electrode;
 - a second electrode; and
 - a membrane disposed between the first electrode and the second electrode, the membrane comprising a substrate providing support to the first electrode and the second electrode, the substrate being contiguously disposed at a first frame.

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This claim uses "comprising" language; that is, open ended language. This claim is not limited to a single substrate, and does not exclude elements (such as screen packs and the like) disposed on one or more sides of the membrane. What this claim includes is:

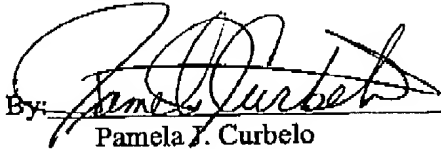
a membrane disposed between the first electrode and the second electrode, the membrane comprising a substrate providing support to the first electrode and the second electrode, the substrate being contiguously disposed at a first frame.

(Claim 1) WO 00/40780 fails to teach a membrane comprising a substrate contiguously disposed at a frame, as is taught and claimed in the present application.

If there are any additional charges with respect to these Comments on the Statement of Reasons for Allowance, or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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